

E-Filing

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9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION
13

14 UNITED STATES OF AMERICA,)

15 Plaintiff,)

16 v.)

17 JOHN KAROW, JR.,)

18 Defendant.)
19

No. CR-05-00349-VRW

[PROPOSED] ORDER EXCLUDING
TIME UNDER THE SPEEDY TRIAL ACT

20 This matter came on the calendar of the Honorable Vaughn R. Walker on August 30,
21 2005. At the parties' request, the Court continued the matter until October 4, 2005 at 10:30 a.m.

22 The parties requested an exclusion of time under the Speedy Trial Act from August 30
23 through October 4, 2005 based upon the need for effective preparation of counsel. The
24 government has provided initial discovery to the defense. The remaining discovery consists of
25 protected images which must be produced pursuant to a protective order. The protected
26 discovery is voluminous and will take significant time for counsel to review. Therefore, the
27 parties are requesting an exclusion of time. The parties agree that the time from August 30
28 through October 4, 2005 should be excluded in computing the time within which trial shall


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1 commence. See 18 U.S.C. § 3161(h)(8)(A) and (B)(iv).

2 Accordingly, the Court HEREBY ORDERS that the time from August 30 through
3 October 4, 2005, is excluded under the Speedy Trial Act, 18 U.S.C. § 3161. The Court finds that
4 the failure to grant the requested exclusion would deny the defendant reasonable time necessary
5 for effective preparation, taking into account the exercise of due diligence. See 18 U.S.C. §
6 3161(h)(8)(B)(iv). The Court finds that the ends of justice served by granting the requested
7 exclusion outweigh the best interest of the public and the defendant in a speedy trial and in the
8 prompt disposition of criminal cases. See 18 U.S.C. § 3161(h)(8)(A). The Court therefore
9 concludes that this exclusion of time should be made under 18 U.S.C. § 3161(h)(8)(A).

10 SO ORDERED.

11
12 DATED:


HONORABLE VAUGHN R. WALKER
CHIEF UNITED STATES DISTRICT JUDGE

13
14
15 Approved as to form:

16
17 /s/ Joshua Lerner
JOSHUA LERNER, ESQ.
18 Attorney for Defendant

19
20 /s/ Monica Fernandez
MONICA FERNANDEZ
21 Assistant United States Attorney